

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Defendant(s).

Case No.

**STANDING ORDERS FOR CRIMINAL
CASES ASSIGNED TO JUDGE JOHN A.
KRONSTADT**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

This Order incorporates the Court's:

- 1. Initial Standing Order for Criminal Cases Assigned to Judge John A. Kronstadt (Exhibit A); and
- 2. Order Re Pilot Program for Under Seal Documents (Exhibit B). Please read each Order carefully as they differ in some respects from the Local Rules.

Counsel are advised that the Court, at any time, may amend one or more of its Standing Orders. It is the responsibility of counsel to refer to this Court's Procedures and Schedules found on the website for the United States District Court, Central District of California (www.cacd.uscourts.gov) to obtain the operative order.

The Court thanks the parties and their counsel for their anticipated cooperation in carrying out these requirements.

Dated: May 27, 2014



JOHN A. KRONSTADT
UNITED STATES DISTRICT COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A
INITIAL STANDING ORDER FOR CRIMINAL CASES
ASSIGNED TO JUDGE JOHN A. KRONSTADT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Defendant(s).

Case No.

**INITIAL STANDING ORDER FOR CRIMINAL
CASES ASSIGNED TO JUDGE JOHN A.
KRONSTADT**

1 The parties were referred to the Court's Procedures and Schedules found on the Court's
2 Website to obtain a copy of this Order at the time of the Post Indictment Arraignment ("PIA")
3 Hearing. Counsel shall comply with this Order, which is effective from the date of the PIA
4 Hearing.

5 A. Discovery.

6 The Court orders the Government to produce the discovery it currently has in its
7 possession within seven (7) days from the date of the PIA Hearing. Counsel are ordered to confer
8 and file a joint report no later than fourteen (14) days from the date of the PIA Hearing, which
9 shall include: (i) the status of discovery and whether the Government anticipates further discovery
10 to be produced and the date by which it will be submitted to Defendant(s); (ii) whether there are
11 any disputes as to the discovery produced thus far; (iii) the anticipated motions to be filed by each
12 party; (iv) whether the parties expect to proceed on the current trial date; and (v) the anticipated
13 length of the trial.

14 The Government shall produce to Defendant(s) the discovery related to evidence it seeks
15 to introduce at trial no later than two (2) weeks prior to the trial date. If there is discovery related
16 to trial evidence that is produced after this date, such evidence will not be admitted at trial subject
17 to an ex parte application being filed and approved by the Court.

18 B. Motions / Motions in Limine.

19 All motions shall be filed fourteen (14) days prior to the hearing date and shall not exceed
20 ten (10) pages. Any opposition shall be filed seven (7) days prior to the hearing date and shall not
21 exceed ten (10) pages. The Court does not require a reply, however, if a party elects to file one, it
22 shall be filed three (3) days prior to the hearing date by 12:00 p.m., and shall not exceed five (5)
23 pages. Proposed orders for motions are not required to be filed or submitted to the Judge's
24 Chambers' Inbox.

25 The Court hears all motions in limine, which shall be numbered accordingly, at the time of
26 the Final Pretrial Conference.
27
28

1 The last day to hear motions is set for the date of the Final Pretrial Conference. All
2 motions shall be set in accordance with this Order and the Local Rules.

3 C. Mandatory Chambers Copies.

4 Mandatory chambers' copies shall be delivered to the courtesy copy box located outside
5 the Clerk's Office, Suite 181-L of the Roybal Federal Building. It is imperative that mandatory
6 chambers' copies are delivered by noon following the date of filing as required by [Local Rule 5-](#)
7 [4.5](#). Failure to deliver timely mandatory chambers' copies may result in a delay in hearing a
8 motion or an order taking the matter off calendar. The Court requires chambers' copies of only
9 the following: motion papers (motions, oppositions, replies, non-oppositions, and any document
10 relating to such), plea agreement(s), and sentencing position papers.

11 All other documents, such as stipulations, requests, notices and status reports, are not
12 required.

- 13 • Bluebacks are not required. It is not required to two-hole punch courtesy copies.
- 14 • All courtesy copies must be printed from CM/ECF and include the CM/ECF –
15 generated header consisting of the case number, document control number, date of
16 filing, page number, etc.

17 D. Continuances.

18 Counsel requesting a continuance must e-file any application or stipulation with a
19 proposed order, which shall include a detailed explanation of the grounds for the requested
20 continuance or extension of time. The Court will not consider any request that does not comply
21 with the Local Rules and this Order. Proposed stipulations extending scheduling dates become
22 effective only if, and when, this Court approves the stipulation as presented to, or modified by, the
23 Court, and an associated order is entered. Counsel shall submit requests for a continuance at
24 least five (5) court days prior to the scheduled date that is the subject of the request.

25 Stipulations for excludable time shall conform to the format and standards of this
26 District.
27
28

1 E. Under Seal Documents.

2 Effective July 8, 2013, this Court requires that all under seal documents be submitted
3 via email to the Court's chambers' email address. Counsel shall refer to the Court's Order Re
4 Under Seal Pilot Program and comply with this Order. See Exhibit B.

5 F. Trials.

6 Counsel shall refer to the Local Rules and comply with this Court's Order Re
7 Jury/Court Trial for Civil Cases as they apply to criminal trials.

8 **IT IS SO ORDERED.**
9

10
11 _____
12 HONORABLE JOHN A. KRONSTADT
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT B
ORDER RE PILOT PROGRAM FOR UNDER SEAL DOCUMENTS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Defendant(s).

Case No.

**ORDER RE PILOT PROGRAM FOR UNDER
SEAL DOCUMENTS**

1 This Court is participating in a pilot program with respect to the submission of all under seal
2 documents. Such documents shall be presented to the Court as follows:

3 **I. FOR REQUESTS TO SEAL DOCUMENTS ONLY, NOT THE APPLICATION AND**
4 **ORDER:**

- 5 1. Electronically file the application to seal and the declaration giving notice or proof
6 of service.

7 Attach a proposed order to the electronically filed application (standard procedure for filing
8 application with a proposed order pursuant to [Local Rule 52-4.1](#).

- 9 2. Indicate which of the three following actions will be taken if the application is
10 denied:

- 11 a. Counsel will file the document(s) in their entirety for public view and
12 consideration by the Court;
13 b. Counsel will contact the Courtroom Deputy Clerk to pick up the chambers'
14 cop(ies) of the document(s) within 24 hours; or
15 c. Counsel will request that the Courtroom Deputy Clerk destroy the chambers'
16 cop(ies) of the document(s).

17 Note: If counsel opt for (b) above and do not contact the Courtroom Deputy
18 Clerk within 24 hours, the documents will be destroyed.

- 19 3. After electronically filing the application and proof of service, send an e-mail to :
20 jak_chambers@cacd.uscourts.gov with an attachment containing: (i) an Adobe
21 PDF version of the application to seal and declaration giving notice or proof of
22 service; (ii) a Word or WP version of the proposed order (including the proposed
23 action to be taken if the application is denied (see 3., above)); and (iii) an Adobe
24 PDF of the document(s) to be filed under seal with a caption page clearly marked
25 "UNDER SEAL." The subject line of the email should include: (a) the case number;
26 (b) the name of the represented party; and (c) the words "UNDER SEAL
27
28

1 REQUEST." If the size of the email requires a second email that is a continuation
2 of the under seal document(s), the subject line shall also include "Part 1" or "Part
3 2," etc.

- 4 4. A non-blue backed, tabbed (if appropriate) mandatory paper chambers' copy of the
5 document(s) listed above (together in one envelope) must be delivered to this
6 Court's courtesy box, outside of Room 181-L, 255 East Temple St., Los Angeles,
7 California by noon on the day after submission. The envelope shall include the
8 words "COURTESY COPIES FOR UNDER SEAL REQUEST."
9

10 **II. FOR REQUESTS TO SEAL THE APPLICATION, ORDER AND DOCUMENT(S):**

- 11 1. Electronically file a NOTICE OF MANUAL FILING indicating that the following have
12 been submitted to the Court: (i) an application to seal; (ii) a declaration giving notice or
13 proof of service; (iii) a proposed order; and (4) the documents to be placed under seal.
14
- 15 2. Send an email to the chambers' email at jak_chambers@cacd.uscourts.gov with an
16 attachment containing: (i) an Adobe PDF version of the application to seal and
17 declaration giving notice or proof of service; (ii) a Word or WP version of the proposed
18 order (including the proposed action to be taken if the application is denied); and (iii)
19 an Adobe PDF of the document(s) to be filed under seal with a caption page, clearly
20 marked "UNDER SEAL." The subject line of the email should include: (a) the case
21 number; (b) the name of the represented party; and (c) the words "UNDER SEAL
22 REQUEST." If the size of the email requires a second email that is a continuation of
23 the under seal document(s), the subject line shall also include "Part 1" or "Part 2," etc.
24
- 25 3. A non-blue backed, tabbed (if appropriate) mandatory paper chambers' copy of the
26 documents listed above (all in one envelope) must be delivered to this Court's
27 courtesy box, outside of Room 181-L, 255 East Temple St., Los Angeles, California by
28 noon on the day after submission. The envelope shall include the words "COURTESY

COPIES FOR UNDER SEAL REQUEST.”

III. OTHER IMPORTANT INFORMATION REGARDING APPLICATIONS TO FILE UNDER SEAL:

1. All applications must provide the reason(s) why the parties’ interest in maintaining the confidentiality of the document(s) outweighs the public’s right of access to materials submitted in connection with a judicial proceeding.
2. Any sealed document must clearly mark the information that is confidential or privileged via highlighting in color and/or using brackets.
3. All applications must identify which portions of the documents to be filed under seal are confidential.
4. If a party submits an application to file under seal because all or some of the materials have been designated as confidential by another party pursuant to a protective order, **the application will be denied** as to those materials unless the Court receives, from the party who has designated the documents confidential, a document providing: (i) the reasons the document should be filed under seal; and (ii) the portions within the document that are confidential, within 48 hours from the notice of filing. This document shall be entitled: “ADDENDUM TO APPLICATION TO FILE UNDER SEAL PURSUANT TO PROTECTIVE ORDER.”
5. The title of the pleading will be placed on the public docket entry. For example: “Declaration of John Doe, Exhibit A.” If approved, the document itself will be sealed and not viewable by the public, but the entry (title) will be indicated in the docket entry, which may be viewed by the public.
6. Counsel shall adhere to [Local Rule 5-4.3.1](#) with respect to the size of the PDF and, prior to submitting any document(s) to the Court for consideration, shall review each such document to confirm that none is presented with any missing pages.
7. All PDF documents shall be searchable.

- 1 8. Exhibits can either be attached to the document to which it refers or submitted as a
2 separate Adobe PDF. Any separate filing shall contain a title page pursuant to [Local](#)
3 [Rule 11-3.8](#), which shall indicate the exhibits attached thereto, e.g., "Exhibits 1-10 to
4 Defendant's Motion to Dismiss".
- 5 9. Proposed orders granting or denying a motion are not required.

6 **IT IS SO ORDERED.**

7
8

JOHN A. KRONSTADT
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28